

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREGORY S. KONTAXES,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 12-1160
)	Judge Mark R. Hornak
STEVEN GARY KONTAXES,)	Magistrate Judge Maureen P. Kelly
Perryopolis Policeman,)	
Defendant.)	

ORDER

AND NOW, this 4th day of January, 2013, after the Plaintiff, Gregory S. Kontaxes, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the Plaintiff until January 3, 2013, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that, pursuant to the screening provisions of the Prison Litigation Reform Act, the Complaint is dismissed for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

A handwritten signature in black ink, appearing to read 'Mark R. Hornak', is positioned above a horizontal line.

MARK R. HORNAK
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Gregory S. Kontaxes
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All Counsel of Record by electronic filing